

I yield the floor.

The PRESIDING OFFICER. The Chair, in his capacity as a Senator from the State of Utah, suggests the absence of a quorum.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mrs. HUTCHISON. On behalf of the leader, I ask unanimous consent that there now be a period for morning business, with Senators permitted to speak for up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PATIENTS' BILL OF RIGHTS

Mr. KENNEDY. Mr. President, the matter that I want to address, again, is the issue of the Patients' Bill of Rights. It is time for our Republican leadership to stop the blocking of the Patients' Bill of Rights. It is time for them to stop protecting the insurance company profits and start protecting the parties. It is time for them to stop manipulating the rules of the Senate to deny the American people the protections they deserve.

It is clear what is going on here. It is clear to every Member of the Senate. It should be clear to the American people. The American people want Congress to pass strong, effective legislation to end the abuse by HMOs, the managed care plans, and the health insurance companies.

The Patients' Bill of Rights, sponsored by Senator DASCHLE and Senate Democrats, provides the needed and long overdue antidote to the festering and growing abuses. Our goal is to protect patients and see that insurance plans provide the quality care they promise but too often fail to deliver.

Two hundred groups of patients, doctors, nurses, and families have announced support for our bill and are begging the Republican leadership to listen to their voices. I have the list of the various groups supporting our legislation. They represent virtually all of the major doctor and nurse organizations and consumer groups, starting with the American Medical Association, the various cancer societies, the National Breast Cancer Coalition, and all of the American nursing associations. The supporters also include those groups that are most interested in the health care of children including the Children's Defense Fund and the American Academy of Pediatrics. These groups also represent our senior citizens including the National Council of Senior Citizens. The bill is also supported by groups that are most interested in mental health, the Mental Health Association, and those groups

most concerned about disability policies including the Multiple Sclerosis Society, United Cerebral Palsy, the American Academy of Neurology, and the Center on Disability and Health.

This, Mr. President, is only one page of a series of pages of different groups where it can be said, without contradiction, that every major medical association in our country supports the Daschle proposal which is sponsored by the Democrats. Virtually every single doctors organization, every single nurses organization, every single consumer organization, every organization that has represented children in our society, every association that represents cancer victims, every association that represents the disability community—every one of those organizations, plus many others, support our particular proposal. There is not one organization, not a single organization, that supports the alternative Republican proposal. We have asked day in and day out for them just to find one organization representing any of the doctors or nurses, children's groups, women's groups, cancer victims groups, disability groups, any of those groups in our society, and all we have is silence.

This isn't a matter that we are advocating because of our particular interest. We are advocating on behalf of all of these organizations and all of the various patients and all of the various families that are part of this central concern about how we best can protect the families in this country. The best way those families can be protected is, at least, through debate on a Patients' Bill of Rights and, I believe, by the enactment of this legislation.

As we have said on many different occasions, these are commonsense solutions to the kind of problems that are real problems out there and that are being faced by families every single day. If a child is sick and the parents of that child belong to one HMO, that ambulance has to drive by the nearest emergency room and go to an emergency room across town because it is on the list of that HMO. When that child is in an emergency situation, they ought to be able to go to the nearest hospital—that is one of our bills' protections. It is listed right here. We believe that child ought to have the opportunity to go to the nearest emergency room and have the kind of immediate attention, but also the follow-up attention that they need.

That right would be guaranteed under our Patients' Bill of Rights. We want to debate that issue. That is a commonsense proposal. It is a commonsense proposal that any family can understand. If there is going to be an emergency affecting a child, it makes no sense to drive them by the nearest emergency room and take them clear across town to a more distant emergency room if that child needs immediate medical attention.

That is common sense. That protection is here. We ought to be able to debate that particular issue, but we are

denied that opportunity. We ought to be able to get to it. I believe it wouldn't take a great deal of time.

The list goes on. Our bill was introduced in March. But, the Senate has taken no action because the Republican leadership has been using every trick in the procedural playbook to prevent a meaningful debate. The Republican leadership is abusing the rules of the Senate so that the health insurance companies can continue to abuse patients. That happens to be the fact.

We have too many instances of reports from patients that say, every single day we fail to provide these guarantees, members of their family are put at risk. Every day we continue to deny women who have breast cancer the opportunity to be involved in clinical trials at places like the Lombardi Center, we are putting those particular women at risk.

As I mentioned yesterday, out at the Lombardi Center they have eight professional individuals whose only job is to argue with the HMOs to permit the parties involved, access to the clinical trials their doctors say are necessary but that the HMO will not permit them access to.

Our bill provides these kinds of protections. It is common sense. Without these kinds of protections, we are endangering the lives of those individuals who ought to be a part of the clinical trials. That is a very important protection.

Every day, we are denied that kind of debate and resolution, but we still find that patients are abused by too many of the HMOs. The Republican leadership wants to gag the Senate so that HMOs can continue to gag the doctors who tell patients about needed treatments that are too expensive for the HMO balance sheet.

I use those words "gag the Senate" because all we have had on the other side is the proposal that you can have one, two, or three amendments but no other. You can't have any others. We are not going to take the time of the U.S. Senate to do it, although we did find time to have a debate on the issue of salting; we had time to debate that issue. We had time to debate the issues on the Vacancies Act. We have had time to debate issues like bankruptcy which affects 1.2 million people. But our patient protections bill, which affects tens of millions of our fellow citizens, we evidently, haven't got the time to debate that.

The Republican leadership wants to deny a fair debate on the Patients' Bill of Rights so HMOs can continue to deny the needed patient care. The Republican leadership wants to avoid accountability in the U.S. Senate so that managed care plans can avoid accountability with their unfair decisions, when their unfair decisions kill or injure patients. The Republican leadership has found time to call up the Vacancy Act, the salting bill, the Child Custody Act, the Bankruptcy Act, and the Internet tax bill. So it is clear that